

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3763 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?

2. To be referred to the Reporter or not?

3. Whether Their Lordships wish to see the fair copy of the judgement?

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

(No. 1 to 5 NO)

GUJARAT MARITIME BOARD

Versus

GIRISHCHANDRA C. PANDYA

Appearance:

MS SEJAL K MANDAVIA for Petitioner

MR BHARAT J SHELAT for Respondent No. 1

CORAM : MR.JUSTICE S.D.DAVE

Date of decision: 05/12/97

ORAL JUDGEMENT

The present Petition has been taken out by Gujarat Maritime Board. The Respondent was ordered to be transferred and was placed under suspension. He had gone before the Civil Court asking for a stay against the above said orders of transfer and suspension. The stay was granted by the First Court. The Board had gone in appeal before the First Appellate Court. The Appellate

Court had confirmed the orders of the trial Court in part. Because of these orders of the First Appellate Court the transfer orders had remained as they were. Later on the present petition came to be filed by the Board. Id. counsel Ms. Mandavia who appears on behalf of the Board places on record the orders dated 9-2-1989. During the pendency of the petition before this Court, the orders of the Court below were stayed. Any how, after the completion of the Departmental Inquiry, the suspension orders have been recalled by the appointing authority and at present the respondent is already in service. In view of this position and looking to the orders dated 9-2-1989 it is apparent that the present petition has become infructuous and the same requires to be disposed of. I order accordingly. Rule shall stand discharged. No costs.

The copy of the orders dated 9-2-1989 being presented by ld. counsel for the petitioner be retained on record.

/vgn.